

# SENATE BILL 1124

F2, P1

0lr3559

---

By: **Senator Kasemeyer**

Constitutional Requirements Complied with for Introduction in the last 35 Days of Session

Introduced and read first time: March 16, 2010

Assigned to: Rules

Re-referred to: Budget and Taxation, March 18, 2010

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 29, 2010

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **University System of Maryland – Audits – Communicating Preliminary**  
3 **Findings**

4 FOR the purpose of requiring the Legislative Auditor to send the Chancellor of the  
5 University System of Maryland and the University System of Maryland Board  
6 of Regents Audit Committee a copy of certain discussion notes of a certain  
7 examination conducted by the Office of Legislative Audits of a constituent  
8 institution of the University System of Maryland; ~~requiring the Chancellor to~~  
9 ~~send the Board of Regents of the University System of Maryland a copy of~~  
10 ~~certain discussion notes at a certain time;~~ and generally relating to audits of the  
11 constituent institutions of the University System of Maryland.

12 ~~BY repealing and reenacting, with amendments,~~  
13 ~~Article – Education~~  
14 ~~Section 12–108~~  
15 ~~Annotated Code of Maryland~~  
16 ~~(2008 Replacement Volume and 2009 Supplement)~~

17 BY adding to  
18 Article – State Government  
19 Section 2–1223.1  
20 Annotated Code of Maryland

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2009 Replacement Volume)

2 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
3 MARYLAND, That the Laws of Maryland read as follows:

4 ~~Article — Education~~

5 ~~12-108.~~

6 ~~(a) (1) The Board of Regents shall appoint a Chancellor of the University~~  
7 ~~System of Maryland.~~

8 ~~(2) The Chancellor is the Chief Executive Officer of the University~~  
9 ~~System of Maryland and the Chief of Staff for the Board.~~

10 ~~(b) (1) The Chancellor shall:~~

11 ~~(i) Advise the Board of Regents on systemwide policy;~~

12 ~~(ii) Conduct systemwide planning;~~

13 ~~(iii) Coordinate and arbitrate among the institutions and centers~~  
14 ~~of the University;~~

15 ~~(iv) Assist the institutions in achieving performance goals in~~  
16 ~~accordance with their adopted performance accountability plan;~~

17 ~~(v) Provide technical assistance to institutions and centers such~~  
18 ~~as legal and financial services;~~

19 ~~(vi) ON RECEIPT OF THE DISCUSSION NOTES OF AN~~  
20 ~~EXAMINATION CONDUCTED BY THE OFFICE OF LEGISLATIVE AUDITS OF A~~  
21 ~~CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND~~  
22 ~~UNDER § 2-1223.1 OF THE STATE GOVERNMENT ARTICLE, SEND A COPY OF THE~~  
23 ~~DISCUSSION NOTES TO THE BOARD OF REGENTS;~~

24 ~~[(vi)] (vii) Perform the duties the Board assigns; and~~

25 ~~[(vii)] (viii) See that the policies of the Board are carried out.~~

26 ~~(2) The Chancellor serves at the pleasure of the Board.~~

27 ~~(3) The Chancellor is entitled to the compensation established by the~~  
28 ~~Board.~~

29 ~~(e) The Chancellor may:~~

1           ~~(1) Have the additional staff provided in the University budget; and~~

2           ~~(2) (i) Create any position within the system administration office~~  
3 ~~and within existing funds available to the system administration office, to the extent~~  
4 ~~the cost of the position, including the cost of any fringe benefits, is funded from~~  
5 ~~existing funds.~~

6                   ~~(ii) This paragraph may not be construed to require any~~  
7 ~~additional State General Fund support.~~

8                   ~~(iii) The total number of positions authorized under this~~  
9 ~~paragraph shall be limited as specified annually in the State budget bill.~~

10           ~~(d) (1) Each employee of the Board shall join the Teachers' Pension~~  
11 ~~System of the State of Maryland or the Employees' Pension System of the State of~~  
12 ~~Maryland.~~

13                   ~~(2) As an alternative, any employee in a position determined by the~~  
14 ~~Board to be a professional position may join the optional retirement program under~~  
15 ~~Title 30 of the State Personnel and Pensions Article.~~

16                                   **Article – State Government**

17           **2-1223.1.**

18           **ON THE PRELIMINARY COMPLETION OF AN EXAMINATION OF A**  
19 **CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND BY**  
20 **THE OFFICE OF LEGISLATIVE AUDITS, THE LEGISLATIVE AUDITOR SHALL SEND**  
21 **THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND AND THE**  
22 **UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS AUDIT COMMITTEE A**  
23 **COPY OF THE DISCUSSION NOTES OF THE EXAMINATION RELATING TO ANY**  
24 **PRELIMINARY FINDINGS OF SUBSTANTIAL FISCAL IMPROPRIETY.**

25           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2010.